

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:17CR424
)	
Plaintiff,)	JUDGE CHRISTOPHER A. BOYKO
)	
v.)	
)	
WISAM R. RIZK,)	<u>UNOPPOSED MOTION TO CONTINUE</u>
)	<u>SENTENCING HEARING DATE</u>
Defendant.)	
)	

The United States of America, by and through its counsel, Justin E. Herdman, United States Attorney, and Rebecca C. Lutzko, Assistant United States Attorney, hereby moves this Court to continue the sentencing hearing in this matter from its presently scheduled date of April 4, 2019, to a date on or after April 17, 2019, in accordance with the Court's schedule. In support of this motion, the United States states as follows.

The past Friday, counsel for Defendant Wisam Rizk provided to the Court and the government a lengthy expert report, with multiple attachments, pertaining to the loss calculation in this case, which is an issue that will be contested at the upcoming sentencing hearing. That report advocates for a loss number that is significantly below the loss amount that the government identified as appropriate in the plea agreement. While the United States does not anticipate that this report will alter the government's position on this issue, it nonetheless seeks this continuance to permit it, as well the victim of Defendant's crime in this case, an opportunity to review fully the submitted report, assess the same, and consult. Such a continuance is

necessary to permit government counsel to respond effectively to the report and any arguments that defense counsel makes relying on the same, and to be prepared to address any issues regarding the report raised by the Court at the sentencing hearing.

Counsel for the United States has spoken to defense counsel, Richard H. Blake, who has indicated that he does not oppose the government's request for a continuance for this purpose. Further, government counsel is traveling out-of-state on government business the entire week of April 7, 2019, returning to the office the following week.

WHEREFORE, the United States respectfully requests that this Court reset the sentencing hearing in this case to a date on or after April 17, 2019, at a date and time that is convenient to the Court.

Respectfully submitted,

JUSTIN E. HERDMAN
United States Attorney

By: /s/ Rebecca C. Lutzko
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CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of April 2019 a copy of the foregoing document was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's system.

/s/ Rebecca C. Lutzko

Rebecca C. Lutzko
Assistant U.S. Attorney